

DATE: July 30, 2014

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2014-0055
Administrative Review for Change of Ownership
Site Use: Light Automobile Repair
Applicant: Max Auto Repair by Maximiliano Perez Jiguan
Location: 1008 Madison Street
Zone: CSL / Commercial Service Low

Request

Special Use Permit #2014-0055 is a request to change ownership of an existing light automobile repair business, formerly known as Glass & Tire Xperts, from Sandrine Gomes to Max Auto Repair by Maximiliano Perez Jiguan. No changes to the existing SUP conditions are proposed. The applicant plans to operate the light automobile repair business trading under the name of Max Auto Repair.

Background

Automobile repair businesses have operated in this space at various times since at least 1994. Most recently, City Council granted SUP#2010-0022 to Sandrine Gomes for the operation of a light automobile repair business which included an expiration date five years from approval (June 2015). Ms. Gomes had been observed operating the business in March 2010 without first obtaining SUP approval.

At the time of its one-year review in 2011, staff found violations of SUP conditions regarding repair work occurring outside, vehicles being parked on public right-of-way, and public transportation not being posted at the business. Given that the violations were still not corrected at the time of a follow-up visit, staff issued a notice of violation and met with the applicant to discuss SUP compliance. At the meeting, the applicant acknowledged that she had not been regularly present at the site to check for compliance with SUP conditions. Staff continued to monitor the premises for SUP compliance, and found no violations during an inspection in April 2012.

Another notice of violation was issued in September 2012 for failure to comply with SUP conditions prohibiting vehicles from parking on public right-of-way, vehicle parts from accumulating outside of proper receptacles, and excessive litter.

Staff inspected the business in June 2014 and found no violations of SUP conditions.

Parking

According to Section 8-200 (A)(17) of the Zoning Ordinance, a light automobile repair shop requires one parking space for every 400 square feet of space. A light automobile repair shop with 1,400 square feet (excluding the indoor area used for car parking) will be required to provide four off-street parking spaces. The applicant satisfies this requirement with two repair bays and five parking spaces inside the building, for a total of seven parking spaces.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Braddock Place Condominium, Braddock Place Townhouse Owners, Braddock Lofts Homeowners, and West Old Town Citizens Associations were sent an e-mail with information about the current application. Staff has not received any comments from the public regarding this request.

Staff Action

Although staff is concerned about the SUP violations that occurred at this site in 2011 and 2012, it does not believe the current applicant should be held responsible for the actions of a prior owner. No SUP violations were noted during the most recent inspection of the site, and the current applicant has been reminded of the importance of compliance with SUP conditions. In addition, the SUP will also be automatically reviewed at full public hearings in approximately one year, consistent with the five-year expiration date (Condition #20) that has remained a part of this request without any changes.

Staff has carried forward all other prior SUP conditions into this approval except for Condition #9, which had been included in the prior SUP case because that applicant had installed signage exceeding zoning size limitations and without a permit. However, the condition is no longer necessary because staff has not found any recent sign violations at the site. Additionally, any new signage will still need to conform to Zoning Ordinance regulations that include prohibitions on banners and streamers.

Ultimately, staff does not object to the change of ownership and hereby approves the Special Use Permit.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 8/6/2014
Action: Approved

Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2014-0055

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#2010-0022)
2. The hours of operation of the light automobile repair business shall be limited to between 8:00am and 7:30pm, Monday through Saturday. (P&Z) (SUP#2010-0022)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP#2010-0022)
4. No repair work shall be done outside on the subject property. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z) (T&ES) (SUP#2010-0022)
5. No vehicles shall be displayed, parked, or stored between the building wall and the sidewalk along Madison Street. No vehicles shall be parked in any other portion of the public right-of-way. (P&Z) (SUP#2010-0022)
6. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z) (SUP#2010-0022)
7. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP#2010-0022)
8. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP#2010-0022)
9. **CONDITION DELETED BY STAFF:** ~~The applicant shall submit a plan for all signs on the building to the Director of Planning & Zoning for review and approval. Signage shall be limited to advertising the general business conducted on the premises. No banners, streamers, flags, or similar advertising devices shall be displayed on the premises. (P&Z) (SUP#2010-0022)~~
10. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP#2010-0022)
11. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for

- employees. (T&ES) (SUP#2010-0022)
12. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP#2010-0022)
 13. **CONDITION AMENDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at ~~703-746-4065~~ or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (~~SUP#2010-0022~~)
 14. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP#2010-0022)
 15. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES) (SUP#2010-0022)
 16. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP#2010-0022)
 17. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2010-0022)
 18. **CONDITION AMENDED BY STAFF:** The applicant is to contact the Community Relations Unit of the Alexandria Police Department at ~~703-838-4520~~ 703-746-6838 regarding a security assessment for the business and robbery readiness training for all employees. (Police) (~~SUP#2010-0022~~)
 19. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed.

(P&Z) (~~SUP#2010-0022~~)

20. The permit will expire on June 12, 2015 unless an SUP application for an extension is approved prior to that date. (City Council) (SUP#2010-0022)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2014-0055. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the light automobile repair business at 1008 Madison Street.

Applicant - Signature

Date

Applicant – Printed

Date